

**Testimony to the United States Congress
Committee on House Administration**

Congressman Robert Ney, Chairman

Submitted by

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Columbus, Ohio

Thank you for the opportunity to testify before the Committee on House Administration, as well as other interested parties today. I appreciate the leadership efforts of Chairman Ney, members of this committee and Congressional leaders to improve the election process in our country and ensure the United States remains a model for participatory democracy.

I would also like to thank the Committee for coming to Ohio today to examine election issues further. This state has a solid history of successful elections, as well as an energized and active electorate, which I believe makes it a compelling study for Congress.

The November election was undoubtedly one of the most scrutinized elections in recent history, especially in Ohio. However, with the leadership and professionalism of bipartisan county boards of elections, Ohio was able to avoid the chaos which ensued elsewhere in the nation during the 2000 election.

Having received reports of election-related incidents during the fall election from voters, boards of elections and poll workers, the General Assembly is seizing the opportunity to evaluate our elections process and make improvements. As such, I introduced House Bill 3 in an effort to modernize Ohio's election laws.

House Bill 3 makes necessary clarifications to Ohio's election laws and brings the state into alignment with the federal Help America Vote Act (HAVA).

House Bill 3 codifies rules for casting a provisional ballot to align Ohio's provisional system to comport with HAVA. The HAVA procedure allows a citizen whose voter eligibility is challenged by an elections official, or whose name does not appear in the registered voters' log, to cast a provisional ballot. This differs from the current procedure which only allows those citizens who have moved into a new area and have failed to submit a change of address form to vote provisionally.

Also in accordance with HAVA, each state must establish a computerized statewide voter registration database. This legislation clarifies that the Secretary of State's database is the official statewide database as required by HAVA.

Finally, House Bill 3 seeks to codify the HAVA requirements for voter identification. HAVA requires first-time voters who registered by mail to provide a form of identification when they cast their ballot or at the time they register.

Outside of the scope of HAVA compliance, discussions have been underway to address a number of broader election concerns via legislation.

House Bill 3 as introduced updates antiquated laws outlining how non-mandatory recounts are financed. Following the November election, Ohio taxpayers were forced to absorb the cost of an expensive non-mandatory recount requested by candidates who received less than 1 percent of the vote. The proper method for financing non-mandatory recounts is still being discussed. There are a number of proposals on the table, and the General Assembly is actively reviewing them all.

Another point of conversation has been modifying Ohio's election calendar. For instance, concerns have been raised about the short timeframe in which pre-election challenges must be received and resolved. We are looking into ways in which we may improve the timing of the elections process to ensure voters have ample time for ballot access and boards of elections have ample time to process all information and ensure its accuracy.

As I mentioned earlier in my testimony, House Bill 3 attempts to align Ohio election law with HAVA in terms of provisional balloting procedures. Beyond that, the General Assembly is also working to develop the procedures necessary to clear a provisional ballot including how and when to count a provisional vote, the form in which the provisional is submitted, and instructions to the poll workers and the voter.

The General Assembly is working to revise the laws and procedures that relate to Election Day activities at polling locations. Voter harassment and intimidation is unacceptable and will be addressed in this legislation. Finally, we are also reviewing the process and the need of placing challengers at polling locations.

I am confident that we will have the opportunity to address and discuss changes to other components of Ohio's election laws through the course of additional public hearings. I look forward to continuing discussion on additional measures to enhance the election process.

I cannot reiterate enough how important it is that all Ohioans have the ability to have confidence in the election process. I believe it is incumbent upon government officials – both state and federal – to take measures to make the process more seamless and accessible to all voters.

Once again, thank you for the opportunity to testify before the committee today.